

# MISSISSIPPI STATE BOARD OF DENTAL EXAMINERS

## **Board Officers:**

Mark D. Williams, D.M.D., President  
M. Lewis Grubbs, D.M.D., Vice-President  
Alexa L. Lampkin, D.M.D., Secretary



## **Board Members:**

Wade C. Bishop D.M.D.  
John B. Carlton, D.M.D.  
David K. Curtis, D.M.D.  
Stephen W. Joe, D.M.D.  
Haley Harrison Birmingham, R.D.H.

Denny Hydrick, Executive Director

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## **MSBDE Board Meeting Minutes April 25, 2025**

The Mississippi State Board of Dental Examiners is a statutorily created regulatory agency charged with safeguarding the consumers of professional dental services in Mississippi. The "Board" accomplishes this mission through the vetting of applicants for dental and dental hygiene licensure and through the enforcement of the laws and regulations related thereto. The Mississippi State Board of Dental Examiners is neither affiliated with nor functions as a subsidiary of any private or professional organization.

The meeting began at 8:30am. Public attendance was in-person only. The meeting was recorded for purposes using the Zoom Link below:

<https://us02web.zoom.us/j/88481409472?pwd=8uvczTUfncNJxUPRe1o18CNkt2aObv.1>

Meeting ID: 884 8140 9472

Passcode: 425239

### **Board Members Present:**

Dr. Mark Williams, D.M.D., President  
Dr. Lewis Grubbs, D.M.D., Vice-President  
Dr. Alexa Lampkin, D.M.D., Secretary  
Dr. David Curtis, D.M.D.  
Ms. Haley Harrison-Birmingham, R.D.H.

### **Board Staff Present:**

Mr. Denny Hydrick, Executive Director  
Mr. Westley Mutziger, Board Counsel  
Ms. Tiffany Vaughn, Deputy Director  
Ms. Lou Sims, Licensing  
Mr. Nick Hardwick, Investigative Supervisor  
Ms. Sherese Redmond, Investigator  
Mr. Chris Welch, Investigator

### **Board Members Not Present:**

Dr. Stephen Joe, D.M.D.  
Dr. Wade Bishop, D.M.D.  
Dr. John Carlton, D.M.D.

### **Public Attendees:**

Dr. Chatterjee Kirk, UMMC School of Dentistry  
Dr. Tom Wiggins, Professional Health Network  
Dr. Mitch Hutto, Professional Health Network  
Dr. Felda Jones, Forest Dental  
Dr. Tasia Poyadou, Mobile Health Solutions  
Dr. Jason Leach, Mississippi Smiles  
Dr. Tiffany Green

Ms. Ashley Casey, SmilesToGo  
Dr. Lee Casey  
Mike Murphy, Mobile Health Solutions  
Dr. Patrick Lamb, Mobile Health Solutions  
Chris Martin, Mobile Health Solutions  
Joe Nosef, Attorney  
Noel Morgan

Kenneth Wells  
Camp Murphy, Capitol Resources  
Philip Chapman, Attorney

Trey Jones, Forest Dental  
Dr. Robert Mike Harkins  
Dr. Ron Caloss

## **8:30AM**

### **CALL TO ORDER**

The meeting was called to order by Dr. Mark Williams at 8:30 am.

### **DETERMINATION OF QUORUM**

Mr. Hydrick determined that a quorum was present.

### **INTRODUCTION OF GUESTS AND PUBLIC ATTENDEES**

Dr. Williams welcomed the public attendees, and each was given a time of introduction.

### **ADOPTION OF THE AGENDA**

Dr. Williams called for the approval of the agenda. Dr. Lampkin made a motion to approve the agenda. Dr. Grubbs seconded and the motion passed.

A motion was made by Dr. Grubbs and seconded by Dr. Lampkin to enter a closed session to determine if Executive Session was necessary. The motion passed. The public was excused. Mr. Mutziger reported to the public attendees that the Board found sufficient justification to enter executive session – the consideration of Board staff and personnel performance related to onsite advanced anesthesia facility inspections pursuant to Board Regulation 30 – and voted unanimously to enter executive session.

### **--- EXECUTIVE SESSION ---**

PERSONNEL MATTERS RELATED TO THE PERFORMANCE OF PRESCRIBED STAFF DUTIES IN REGULATION 30

### **--- OPEN SESSION ---**

Mr. Mutziger, Board Counsel, reported the actions of the Board in Executive Session. The Board voted to amend its enforcement strategy regarding onsite advanced anesthesia facility inspection conducted pursuant to Board Regulation 30 by distributing to advanced anesthesia permit holders preselected dates for availability of facility inspections. Additionally, the Board directed staff to complete outstanding facility inspections by August 31, 2025.

### **APPROVAL OF MINUTES**

MSBDE Board Meeting – January 17, 2025

A motion was made by Dr. Curtis and seconded by Dr. Lampkin to approve the minutes of the January 17, 2025, Board meeting. The motion passed unanimously.

MSBDE Special Called Board Meeting – March 20, 2025

A motion was made by Dr. Lampkin and seconded by Ms. Birmingham to approve the minutes of the March 20, 2025, meeting. The motion passed unanimously.

### **PRESENTATIONS**

University of Mississippi Medical Center – School of Dentistry, Interim Dean Pia Chatterjee Kirk, D.D.S. provided a report to the Board related to the employment of graduating students from the Dental and Dental Hygiene Programs. Dr. Kirk reported that eighteen (18) graduating dental hygiene students provided a response regarding employment with sixteen (16) planning to enter private practice, one (1) to work with a DSO, and one (1) to work as a traveling hygienist. Dr. Kirk reported that eleven (11) out of the eighteen (18) dental hygiene students have secured employment in Mississippi; one (1) student is going to the VA and six (6) remain undecided. Dr. Kirk reported that twenty-three (23) graduating dental students provided a response regarding employment with twelve (12) planning to enter private practice as an associate, one (1) planning to be a solo private practitioner, five (5) joining a corporate dental model, and five (5) that have committed to a residency. Of those planning to enter private practice, seven (7) have committed to staying in Mississippi and nine (9) are going out of state. Three (3) of the dental residents will remain in Mississippi with one (1) in general dentistry and two (2) in pediatric dentistry.

Professionals Health Network - Tom Wiggins, D.M.D., Chair/President and Mitch Hutto, D.M.D., presented on behalf of the Professionals Health Network (PHN). Dr. Wiggins provided an overview of the referral process and the treatment process. Referrals come to PHN either as self-referrals or family referrals and may also come from the Board. The team intervenes with the referred licensee to get them into treatment and put them under contract for a five-year period. While under contract, they have frequent interactions with the PHN team. Included are urine screens to ensure compliance. At the end of the five-year contract, most will go into a step-down contract. Dr. Wiggins reported that in the last three (3) years, there has been a total of twenty-eight (28) dentists who have been under contract. Dr. Wiggins reported PHN's success rate as 88%. Eleven (11) of twenty-eight (28) have completed their contract. Thirteen (13) are under active contract, and four (4) are on a step-down contract. After some discussion regarding trends in usage among dental professionals, the Board thanked the PHN for their update and report.

### **COMMITTEE REPORTS**

#### **Rules and Regulations**

Dr. Curtis gave the report for the Rules and Regulations Committee. Dr. Curtis noted that the committee may bring forward language at a future date to bolster the Board's enforcement of complaints related to misleading advertising. Next, Dr. Curtis addressed Provisional Teach Licenses, wherein he relayed concerns that intramural

practice requirements, as provided in Board Regulation 7, may be outdated when considering the present contractual requirements for faculty at the University of Mississippi Medical Center's School of Dentistry. The current model is a faculty practice model and is no longer a private practice model. Dr. Curtis made a motion to refer these two items to the Legislative Committee. After clarification with Mr. Mutziger, Dr. Curtis withdrew his motion for referral, as the work will remain with the Rules and Regulations Committee.

Dr. Williams requested that Dr. Kirk, Interim Dean of the School of Dentistry, be involved in the discussion with the Rules and Regulations Committee regarding Intramural Practice. Dr. Kirk was in attendance and agreed to be involved in those discussions.

The next item reported by the Rules and Regulations Committee was a proposed amendment to the Language in Regulation 53 entitled Patient Records. Dr. Curtis mentioned the need to update this Regulation arose from a change in law – Miss. Code Ann. § 73-9-13 (r) – which requires patient records to be kept for ten (10) years. Additionally, the Committee is proposing language regarding the requirements for Informed Consent, including documentation thereof in the patient's record. Dr. Curtis provided an overview of the components of the Informed Consent. Mr. Mutziger noted the addition of vulnerable adults as a specific consideration. Dr. Williams spoke about the need to add the language regarding vulnerable adults because of the concerns related to nursing home residents and others.

The proposed changes to Regulation 53 as presented to the Board are as follows:

#### Rule 1.53 BOARD REGULATION NUMBER 53—PATIENT RECORDS

Purpose: To determine appropriate patient recordkeeping guidelines for licensed dentists.

#### PROPOSED

1. Dental patient records shall include, at a minimum, the following information:
  - a. Dates and types of dental treatment,
  - b. Health history,
  - c. Diagnosis of problems or diseases,
  - d. Evidence of informed consent,
  - e. Medications prescribed, dispensed, and/or administered,
  - f. Radiography and other diagnostic imaging results, and
  - g. Laboratory results.
2. Time Period for Maintenance of Patient Records

- a. The dentist shall maintain dental records in the original, microfilmed, electronic, or similarly reproduced form for a minimum period of ten (10) years from the date a patient is last treated by a dentist.
- b. Graphic matter, images, X-ray films, and like matter that were necessary to produce a diagnostic or therapeutic report shall be retained, preserved and properly stored by a dentist in the original microfilmed or similarly reproduced form for a minimum period of three (3) years from the date a patient is last treated by the dentist.
  - i. Dental models and casts shall be considered like matter for purposes of this regulation.
  - ii. The dentist shall retain these records for a longer period, not to exceed ten (10) years, when requested in writing by the patient.

### 3. Informed Consent

- a. Informed consent is not merely a document. Informed consent is a process and conversation between the dentist and the patient, or the parent or legal guardian if the patient is a minor, wherein the dentist educates the patient regarding the risks and advantages of the proposed treatment, alternatives to the proposed treatment, including non-treatment, and affords the patient the opportunity to ask questions regarding such.
- b. Informed consent is required for all dental procedures beyond minor restorative procedures.
- c. Informed consent is required for all dental procedures, irrespective of the type of procedure performed, if the patient is an unemancipated minor under eighteen (18) years of age, or if the patient is a vulnerable person, as defined by Miss. Code Ann. § 43-47-5.
- d. Informed consent shall be obtained no more than fourteen (14) days prior to the proposed treatment or procedures if the patient is an unemancipated minor under sixteen (16) years of age, or if the patient is a vulnerable person, as defined by Miss. Code Ann. § 43-47-5.
- e. Informed consent may be implied in the event of an emergency, if in the competent judgment of a dentist, the delay effected by obtaining informed consent would endanger the patient's life.
- f. The dentist shall document verifiable evidence of the patient's informed consent.

### 4. Production of Records

- a. The inability and/or failure to produce such records when so requested by the Mississippi State Board of Dental Examiners shall be considered a violation of this Regulation, and the licensee may be subject to formal disciplinary action by the Board.
- b. Patients who request copies of their records shall be provided with copies at no cost to the patient or, at a maximum, only the cost the dentist incurs in reproducing these records for the patient.
- c. Patient records shall be provided upon request to a parent or legal guardian of an unemancipated minor under eighteen (18) years of age without the permission of such unemancipated minor.

Dr. Curtis made a motion to approve the language as proposed. Dr. Grubbs seconded the motion. The floor was opened for discussion. There was none. Dr. Williams opened it up for public input. Mrs. Ashley Casey spoke. She stated that there were additional types of Informed Consent as defined by the American Dental Association

which includes definition of implied and general consent. She stated that there were different types of consent that needed to be considered. She cited an article from the ADA. She stated that the article would be sent to the Board. The article was subsequently sent to the Board staff and the article link was noted to be:

[https://urldefense.com/v3/https://www.ada.org/resources/practice/practice-management/types-of-consent-;!!Dhw9WWooB8bE!piaolMApw33zejMZ0rwsM4WH\\_3RU5ff6nYw35mD-GOEsv2jLEYVFjVzDCwhlWtLrhH1Mm0nX9\\_PG8RXht5kx1E\\$](https://urldefense.com/v3/https://www.ada.org/resources/practice/practice-management/types-of-consent-;!!Dhw9WWooB8bE!piaolMApw33zejMZ0rwsM4WH_3RU5ff6nYw35mD-GOEsv2jLEYVFjVzDCwhlWtLrhH1Mm0nX9_PG8RXht5kx1E$).

The Board voted on the motion to accept the proposed changes to Regulation 53. The motion passed without opposition.

Dr. Curtis moved to the next topic of discussion in the Rules and Regulations Committee relating to Regulations 61 and 62. Dr. Curtis reported that the Board staff were asked to propose language that would enhance the Board's ability to administer the current Regulations. It was noted that these changes were not discussed at the last meeting of the Rules and Regulations Committee. Mr. Hydrick provided a brief overview of the proposed language. Mr. Hydrick noted the timing of these changes is due in part to the Board's impending transition to a new licensing system. Mr. Hydrick stated that the language simply addressed a renewal process so that permit information would remain current. In addition, the current Regulations requiring unannounced visits is not feasible for the Board or the permit holders. Therefore, the proposed language requests permit holders to work with Board staff to schedule times for inspections.

The Board considered the following proposed language changes to MSBDE Regulation 61 and MSBDE Regulation 62:

**Title 30: Professions and Occupations**

**Part 2301: Regulations Adopted by the Mississippi State Board of Dental Examiners**

**Chapter 1:**

**Rule 1.61 BOARD REGULATION NUMBER 61—MOBILE DENTAL FACILITIES**

*Purpose: To establish requirements for licensees operating mobile dental facilities within the State of Mississippi, all pursuant to Miss. Code Ann. § 73-9-13.*

1. ~~Applicability.~~—This regulation applies to the Operator of a ~~M~~mobile ~~d~~Dental ~~f~~Facility dental operation.
2. Exemptions
  - a. Mobile ~~D~~dental ~~f~~Facilities operated by agencies of the State of Mississippi which do not charge or collect any fees whatsoever for services provided are exempt from the requirements of this regulation.
  - b. Mobile ~~D~~dental ~~f~~Facilities contracted, operated, or deployed by the Federal or State military armed forces to provide dental services/treatment solely to Federal or State active duty military personnel, including military reservists, exclusively within the confines of the military base, armory, or installation within the State of Mississippi, are exempt from the requirements of this regulation. As used herein, the terms “military personnel” and “military reservists” do not include spouses and dependents.
3. ~~For purposes of this regulation. Definitions As used herein,~~ the following terms shall have the meanings specified:
  - a. ~~“Mobile dDental fFacility” — means~~ any self-contained facility in which dentistry will be practiced, which may be moved, towed, or transported from one location to another. This includes, but is not limited to, a van or mobile home in which treatment will be provided.
  - b. ~~“Operator” — means the person or persons currently licensed Mississippi dentist or dentist~~currently licensed to practice dentistry in the State of Mississippi who is providing the patient's treatment while on the mobile dental providing dental care at Mobile Dental FFacility. The Operator shall be present and held ~~completely~~ responsible for the quality of patient care at all times when clinical services are rendered.
  - c. ~~“Owner” — means~~ an individual or corporate entity who has registered a ~~mobile Mobile dDental fFacility~~ with the Board pursuant to the registration requirements of this regulation.
  - d. ~~“Mobile dentistry” is defined as the delivery of dental services to patients of all ages in facilities not considered traditional land-based dental clinics, such facilities as heretofore defined. The Board herein references its current definition of dentistry as set forth in Miss. Code Ann. § 73-9-3, et. al., and all pertinent~~

~~regulations regarding the provision of dental services to patients. Operators providing mobile dentistry are expected to adhere to the same ethics, laws, and regulations governing the provision of dental services to patients as would be expected of dentists providing the same dental services to patients in land-based dental clinics. Furthermore, any deviation from the standard of care in the provision of both mobile dentistry and land-based dentistry shall be considered a violation of the Board's laws and regulations and subject to disciplinary action by this Board.~~

4. The Operator shall be present at all times and shall be responsible for the quality of care rendered at a Mobile Dental Facility.

4.5. ~~Registration~~ Permit Required

- a. A current Mobile Dental Facility Permit is required for the operation of a Mobile Dental Facility in Mississippi.  
b. Renewal of the Mobile Dental Facility Permit shall occur on a biennial basis concurrent with the operator's license renewal and shall be subject to the same conditions for renewal in Rule 1.37 – Board Regulation 37, subsection "1".

~~a. Initial Application for Mobile Dental Facility Permit – In order to operate a mobile dental facility, the Operator must be an individual who is authorized to practice dentistry under the laws and regulations of this State, and must possess a current mobile dental office registration issued by the Board.~~

~~b. c. To become registered, the Operator must:~~ The applicant shall:

- (1) Complete an application in the form and manner required by the Board;
- (2) Pay ~~the an~~ initial application fee, ~~as such fee as~~ stipulated in Board Regulation 37;
- (3) Pay the initial Board inspection fee, as stipulated in Board Regulation 37;
- (4) Identify the Operator(s) of the Mobile Dental Facility and other staff that will be associated with the facility, including dental hygienists and radiology permit holders;
- (5) Identify addresses associated with each proposed service location;
- (6) Identify dentists to whom the operator of the Mobile Dental Facility will refer patients for follow-up care;
- ~~(3)(7)~~ Successfully pass an inspection by a Board Member or staff evaluator, demonstrating ~~Provide the Board with evidence of compliance with the regulatory requirements herein; and requirements of this regulation.~~
- (8) With the registrant's initial application to the Board, ~~s~~Submit proof of evidence of approval of radiographic equipment ~~by the Mississippi State Board of Health, from the Mississippi State Board of Health that licensee's radiographic equipment has been approved.~~

d. Renewal of Mobile Dental Facility Permit – The applicant shall:

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- (1) Complete an application for renewal in the form and manner required by the Board;
- (2) Pay the renewal fee, as stipulated in Board Regulation 37;
- (3) Pay the Board inspection fee, if applicable, as stipulated in Board Regulation 37;
- (4) Update the Board regarding addresses associated with each service location or proposed service location;
- (5) Update the Board regarding dentists to whom the operator of the Mobile Dental Facility will refer patients for follow-up care; and
- (6) Coordinate with Board staff to schedule a facility inspection at least once every six (6) years.

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e. Notification of Changes

- (1) The Operator of a Mobile Dental Facility shall notify the Board in writing within thirty (30) days of any change in the address or telephone number of record.
- (2) The Operator of a Mobile Dental Facility shall notify the Board in writing within thirty (30) days of any change in personnel related to the Mobile Dental Facility, including Operators, dental hygienists and radiology permit holders.
- ~~(4)(3)~~ The Operator of a Mobile Dental Facility shall notify the Board in writing within thirty (30) days of any change in the written procedure for emergency follow-up care for patients treated in the Mobile Dental Facility.

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5-6. Office Physical Address and Telephone Number

- a. The Operator of a ~~mobile dental facility~~ Mobile Dental Facility shall maintain an official business or mailing address of record (hereinafter "official office address") with the Board, which shall not be a post office box ~~and which shall be filed with the Board.~~
- b. The Operator of a ~~mobile dental facility~~ Mobile Dental Facility shall maintain an official telephone number of record with the Board, which, which shall be filed with the Board. Furthermore, the telephone number for the mobile dental facility must have 911 capability.
- ~~e. The Board shall be notified within thirty (30) days of any change in the address or telephone number of record.~~
- ~~d.c.~~ All written or printed documents available from or issued by the ~~mobile dental facility~~ Mobile Dental Facility shall contain the official office address and telephone number of record for the ~~mobile dental facility~~ Mobile Dental Facility.
- ~~e.d.~~ All mobile dental facilities shall provide a written list to the state board of dental examiners outlining addresses associated with each service location, or locations the Operator plans to provide services from each mobile facility.

~~f.e.~~ When not in transit, all dental and official records shall be maintained at the official office address.

~~6.7. Written Procedures, Communication Facilities, Conformity with Requirements~~  
~~Patient Referral, and Driver Requirements~~

~~a. Emergency Follow-Up Care~~

~~a. The Operator of a mobile dental facility shall ensure the following:~~

- ~~(1) There is a written~~ The Operator shall ensure ~~there is a written~~ procedure for emergency follow-up care for patients treated in the ~~mobile dental facility~~ Mobile Dental Facility.
- ~~(2) This, and such procedure~~ includes ~~identification of a permanent dental facility located in the same or adjacent county where services are being provided and arrangements verification of availability for provision of treatment emergency care in a dental facility that is established in the area where services were provided.~~

~~b. Non-Emergent Follow-up Care~~

- ~~(1) The Operator shall maintain a list of dentists to whom the~~ With the registrant's initial application, the Board must be provided a list of names of dentists to whom the Operator of the ~~mobile dental facility~~ Mobile Dental Facility will refer patients for follow-up care, subject to the patient's right to choose another dental care provider.
- ~~(2) This list shall contain the dentist's full name, physical office address, telephone number, and an attached statement from each dentist so listed indicating that the dentist will be responsible for follow-up care.~~
- ~~(3) The list shall be updated when changes are made insofar as follow-up care dentists are concerned within 30 days.~~ A dentist who agrees to provide follow-up care must be practicing and located in a land based dental office which provides dental services either in the county wherein the ~~mobile dental facility~~ Mobile Dental Facility provides services, or in an adjacent county to the location wherein such services are being provided.

~~e. The operator shall ensure The dentist who agrees to provide follow-up care can also be the Operator provided that there is a qualifying mobile facility.~~

~~d. The mobile dental facility has communication facilities that will enable the Operator thereof to contact necessary parties in the event of a medical or dental emergency. The mobile dental facility must have communication capabilities to be directly reached at the mobile facilities. This direct line shall be listed and viewable with ease for the public and MSBDE to contact at any time deemed necessary by MSBDE or a representative of MSBDE. This direct~~

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~~line cannot be associated with a switchboard that is maintained by a land-based clinic, or satellite location. The communication facilities must enable the patient or the parent or guardian of the patient treated to contact the Operator for emergency care, follow-up care, or information about treatment received. The provider who renders follow-up care must also be able to contact the Operator and receive treatment information, including radiographs.~~

~~e. The mobile dental facility and the dental procedures performed comply with the laws and regulations of the State.~~

~~f.c. No~~ services are performed on minors without a signed consent form from the parent or guardian, which indicates:

- (1) ~~If~~ the minor already has a dentist, the parent or guardian should continue to arrange dental care through that provider; and
- (2) ~~How~~ the treatment of the child by the ~~mobile dental facility~~ Mobile Dental Facility may affect the future benefits that the child may receive under private insurance, Medicaid; or the Children's Health Insurance Program (CHIP).

~~d. An operator of a mobile dental facility~~ Mobile Dental Facility that accepts a patient and provides preventive treatment, including prophylaxis, radiographs, and fluoride, but does not follow-up with treatment when such treatment is clearly indicated, ~~is shall be considered to be deemed to have abandoned~~ the patient.

(1) Arrangements must be made for treatment services by either the Operator or other licensee who agrees to provide follow-up care.

~~g.(2)~~ If such arrangements are not made, the Operator will be construed to have committed unprofessional conduct pursuant to Miss. Code Ann. § 73-9-61 and shall be subject to disciplinary action by this Board.

#### ~~7.8.~~ Physical Requirements and Inspection for ~~Mobile Dental Facility~~ Mobile Dental Facility

a. The Operator shall ensure that the ~~mobile dental facility~~ Mobile Dental Facility has the following:

- (1) The license of each dentist and dental hygienist providing dental services in the Mobile Dental Facility conspicuously displayed in view of the patients.
- (2) Immediate access to patient records;
- (3) Communication equipment with the capability to:

(a) Provide immediate notification of and communication with emergency services;

(b) Reliably communicate in real-time with the public; and

(c) Provide near-instant delivery of patient information and records;

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(4) A dedicated direct line of communication with the Operator of the Mobile Dental Facility:

- (a) The direct line must provide for communication with the Operator at the location where services are being performed.
- (b) The direct line cannot be associated with a switchboard that is maintained by a land-based clinic, or satellite location.
- (c) The phone number for the direct line shall be conspicuously listed in public view.

- (+)(5) Ready access to a ramp or lift;
- (2)(6) A properly functioning sterilization system;
- (3)(7) Ready access to an adequate supply of potable water, including hot water;
- (4)(8) Ready access to toilet facilities; and
- (5)(9) A covered galvanized, stainless steel, or other noncorrosive container for deposit of refuse and waste materials.
- (6)(10) Medical waste disposal consistent with CDC guidelines.

- b. All AH procedures must be in compliance must comply with the current Recommended Infection-Control Practices for Dentistry as published by the federal Centers for Disease Control and Prevention (CDC).

c. Inspection

- (1) The Mobile Dental Facility shall be inspected by a Board member or a staff evaluator prior to receiving approval to operate by the Board.
- (2) The Mobile Dental Facility shall be subject to subsequent Board inspections occurring at least once every six (6) years.
- e. There shall be a fee for Board inspection, as stipulated in Board Regulation 37. The mobile dental facility shall be inspected by a Board member or a staff evaluator prior to receiving approval to operate by the Board, and the fee for such inspection shall be included in the initial application fee for a mobile dental facility.
- d. Once approved the mobile dental facility shall be subject to periodic, unannounced audits by any Board member or a staff evaluator. Furthermore, a fee shall be assessed for these periodic, unannounced audits, such fee as stipulated in Board Regulation 37.
- 8. Identification of Personnel, Notification of Changes in Written Procedures, and Display of Licenses
- (3) \_\_\_\_\_

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- ~~a. The Operator of a mobile dental facility shall identify and advise the Board in writing within thirty (30) days of any personnel change relative to all licensed dentists, and licensed dental hygienists, and all radiology permit holders associated with the mobile dental facility by providing the full name, address, telephone numbers, and license numbers, where applicable.~~
- ~~b. The Operator shall advise the Board in writing within thirty (30) days of any change in the written procedure for emergency follow-up care for patients treated in the mobile dental facility, including arrangements for treatment in a dental facility which is permanently established in the area. The permanent dental facility shall be identified in the written procedure.~~
- ~~c. Each dentist and dental hygienist providing dental services in the mobile dental facility shall prominently display his or her Mississippi dental or dental hygienist license in plain view of patients.~~

#### 9. Identification of Location of Services

- a. Each Operator of a ~~mobile dental facility~~Mobile Dental Facility shall maintain a written or electronic record detailing for each location where services are provided:
  - (1) the street address of the service location;
  - (2) the dates of each session;
  - (3) the number of patients served; and
  - (4) the types of dental services provided and quantity of each service provided.
- b. The written or electronic record shall be made available to the Board or its representative within ten (10) days of a request.
- c. Each ~~mobile dental facility~~Mobile Dental Facility must possess all applicable county and city licenses or permits to operate at each location.

#### ~~10. Licensed Dentist in Charge~~

- ~~— A mobile dental facility shall at all times be in the charge of a dentist currently licensed to practice dentistry in the State of Mississippi. The treating dentist currently licensed to practice dentistry in the State of Mississippi shall be present and held completely responsible for the quality of patient care at all times when clinical services are rendered.~~

#### ~~11.10.~~ Information for Patients

- a. During or at the conclusion of each patient's visit to the ~~mobile dental facility~~Mobile Dental Facility, the patient shall be provided with an information sheet. If the patient has provided consent to an institutional facility to access the patient's dental health records, the institution shall also be provided with a copy of the information sheet. An institutional facility includes, but is not limited to, a long-term care facility or school.

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- b. The information sheet as required herein shall include the following:
- (1) Pertinent contact information as required by this regulation;
  - (2) The name of the dentist and other dental staff who provided services;
  - (3) A description of the treatment rendered, including billed service codes and fees associated with treatment, and tooth numbers when appropriate; and
  - (4) If necessary, referral information to another dentist as required by this regulation.
  - (5) A written process to obtain radiographs.

42.11. Cessation of Operation

- a. Upon cessation of operation by the ~~mobile dental facility~~ Mobile Dental Facility, the Operator shall notify the Board within thirty (30) days of the last day of operation in writing of the final disposition of patient records and charts.
- b. If the ~~mobile dental facility~~ Mobile Dental Facility is sold, a new registration application must be filed with the Board.
- c. The Operator shall make reasonable arrangements with the active patients of the ~~mobile dental facility~~ Mobile Dental Facility for the transfer of the patient's records, including radiographs or copies thereof, to the succeeding practitioner or, at the written request of the patient, to the patient.
- d. As used in this section, "active patient" applies and refers to a person whom the ~~mobile dental facility~~ Mobile Dental Facility has examined, treated, cared for, or otherwise consulted with during the two-year (2) year period prior to discontinuation of practice, or moving from or leaving the community.

History: *Regulation Sixty-One adopted by the Mississippi State Board of Dental Examiners August 15, 2005; amended February 3, 2020.*

Source: Miss. Code Ann. §§ 73-9-13, 17

**Title 30: Professions and Occupations**

**Part 2301: Regulations Adopted by the Mississippi State Board of Dental Examiners**

**Chapter 1:**

**Rule 1.62 BOARD REGULATION NUMBER 62—PORTABLE DENTAL ~~FACILITIES~~  
OPERATIONS**

*Purpose: To establish requirements for licensees operating ~~portable dental operation~~ Portable Dental Operations within the State of Mississippi, all pursuant to Miss. Code Ann. § 73-9-13.*

1. ~~Applicability. This~~ This regulation applies to the ~~Operator~~ Operator of a ~~portable dental operation~~ Portable Dental Operation.
2. Exemptions
  - a. Portable dental facilities operated by agencies of the State of Mississippi which do not charge or collect any fees whatsoever for services provided are exempt from the requirements of this regulation.
  - b. Portable dental facilities contracted, operated, or deployed by the Federal or State military armed forces to provide dental services/treatment solely to Federal or State active duty military personnel, including military reservists, exclusively within the confines of the military base, armory, or installation within the State of Mississippi, are exempt from the requirements of this regulation. As used herein, the terms "military personnel" and "military reservists" do not include spouses and dependents.
3. ~~Definitions As used herein~~ For purposes of this regulation, the following terms shall have the meanings specified:
  - a. ~~"Operator" — means — The person currently licensed to practice dentistry in the State of Mississippi dentist or dentists providing dental care at a Portable Dental Operation. The Operator shall be present and held responsible for the quality of patient care at all times when clinical services are rendered, and who has registered a portable dental operation with the Board pursuant to the registration requirements of this regulation.~~
  - b. ~~"Owner" — means —~~ An individual or corporate entity who has registered a ~~portable dental operation~~ Portable Dental Operation with the Board pursuant to the registration requirements of this regulation.
  - c. ~~"Portable dental operation" — is defined as a~~ Any non-facility in which dental equipment, utilized in the practice of dentistry, is transported to and utilized on a temporary basis at an out of office location, including, but not limited to: (A) Other dentist offices; (B) patient's homes (C) schools; (D) nursing homes; or (E) other institutions.
  - d. ~~"Portable dentistry" is defined as the delivery of dental services to patients of all ages in facilities not considered traditional land-based dental clinics, such~~

facilities as heretofore defined. The Board herein references its current definition of dentistry as set forth in Miss. Code Ann. § 73-9-3, et. al., and all pertinent regulations regarding the provision of dental services to patients. Operators providing portable dentistry are expected to adhere to the same ethics, laws, and regulations governing the provision of dental services to patients as would be expected of dentists providing the same dental services to patients in land-based dental clinics. Furthermore, any deviation from the standard of care in the provision of portable dentistry and land-based dentistry shall be considered a violation of the Board's laws and regulations and subject to disciplinary action by this Board.

4. The Operator shall be present at all times and shall be responsible for the quality of care rendered at a Portable Dental Operation.

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4.5. Registration Permit Required

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- a. In A current Portable Dental Operation Permit is required for the operation of a Portable Dental Operation in Mississippi.
- b. Renewal of the Portable Dental Operation Permit shall occur on a biennial basis concurrent with the Operator's license renewal and shall be subject to the same conditions for renewal in Rule 1.37 – Board Regulation 37, subsection "1".
- c. Initial Application – The applicant shall:
- a. order to operate a portable dental operation, the Operator must be an individual who is authorized to practice dentistry under the laws and regulations of this State, and must possess a current portable dental office registration issued by the Board.
- b. To become registered, the Operator must:
- (1) Complete an application in the form and manner required by the Board;
  - (2) Pay an initial application fee, ~~such fee~~ as stipulated in Board Regulation 37;
  - (3) Pay the initial Board inspection fee, as stipulated in Board Regulation 37;
  - (4) Identify the Operator(s) of the Portable Dental Operation and other staff that will be associated with the facility, including dental hygienists and radiology permit holders;
  - (5) Identify dentists to whom the Operator of the Portable Dental Operation will refer patients for follow-up care;
  - (6) Successfully pass an inspection by a Board Member or staff evaluator, demonstrating compliance with the regulatory requirements herein; and
  - (3) Provide the Board with evidence of compliance with the requirements of this regulation.
  - (7) Submit evidence of approval of radiographic equipment by the Mississippi State Board of Health.

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~~With the registrant's initial application to the Board, submit proof from the Mississippi State Board of Health that licensee's radiographic equipment has been approved.~~

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d. Renewal of Portable Dental Operation Permit – The applicant shall:

- (1) Complete an application for renewal in the form and manner required by the Board;
- (2) Pay the renewal fee, as stipulated in Board Regulation 37;
- (3) Pay the Board inspection fee, if applicable, as stipulated in Board Regulation 37;
- (4) Update the Board regarding dentists to whom the Operator of the Portable Dental Operation will refer patients for follow-up care; and
- ~~(4)(5)~~ Coordinate with Board staff to schedule an audit of the Portable Dental Operation at least once every six (6) years.

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e. Notification of Changes

- (1) The Operator of a Portable Dental Operation shall notify the Board in writing within thirty (30) days of any change in the address or telephone number of record.
- (2) The Operator of a Portable Dental Operation shall notify the Board in writing within thirty (30) days of any change in personnel related to the Portable Dental Operation, including Operators, dental hygienists and radiology permit holders.
- (3) The Operator of a Portable Dental Operation shall notify the Board in writing within thirty (30) days of any change in the written procedure for emergency follow-up care for patients treated at the Portable Dental Operation

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5-6. Office Physical Address and Telephone Number

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- a. The ~~Operator~~Operator of a ~~portable dental operation~~Portable Dental Operation shall maintain an official business or mailing address of record (hereinafter "official office address"), which shall not be a post office box and which shall be filed with the Board.
- b. The ~~Operator~~Operator of a ~~portable dental operation~~Portable Dental Operation shall maintain an official telephone number of record, which shall be filed with the Board. Furthermore, the telephone number for the ~~portable dental operation~~Portable Dental Operation must have 911 capability.
- ~~e. The Board shall be notified within thirty (30) days of any change in the address or telephone number of record.~~
- ~~d.c.~~ All written or printed documents available from or issued by the ~~portable dental operation~~Portable Dental Operation shall contain the official office address and telephone number of record for the ~~portable dental operation~~Portable Dental Operation.

e.d. When not in transit, all dental and official records shall be maintained at the official office address.

## 7. Patient Referral

### a. Emergency Follow-Up Care

- (1) The Operator shall ensure there is a written procedure for emergency follow-up care for patients treated in the Portable Dental Operation.
- (2) This includes identification of a permanent dental facility located in the same or adjacent county where services are being provided and verification of availability for provision of emergency care.

### b. Non-Emergent Follow-up Care

- (1) The Operator shall maintain a list of dentists to whom the Operator of the Portable Dental Operation will refer patients for follow-up care, subject to the patient's right to choose another dental care provider.
- (2) This list shall contain the dentist's full name, physical office address, telephone number, and an attached statement from each dentist so listed indicating that the dentist will be responsible for follow-up care.
- (3) A dentist who agrees to provide follow-up care must be practicing and located in a land based dental office which provides dental services either in the county wherein the Portable Dental Operation provides services, or in an adjacent county to the location wherein such services are being provided.

### c. The Operator shall ensure no services are performed on minors without a signed consent form from the parent or guardian, which indicates:

- (1) If the minor already has a dentist, the parent or guardian should continue to arrange dental care through that provider; and
- (2) How the treatment of the child by the Portable Dental Operation may affect the future benefits that the child may receive under private insurance, Medicaid; or the Children's Health Insurance Program (CHIP).

### d. An Operator of a Portable Dental Operation that accepts a patient and provides preventive treatment, including prophylaxis, radiographs, and fluoride, but does not follow-up with treatment when such treatment is clearly indicated, shall be deemed to have abandoned the patient.

- (1) Arrangements must be made for treatment services by either the Operator or other licensee who agrees to provide follow-up care.

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- (2) If such arrangements are not made, the Operator will be construed to have committed unprofessional conduct pursuant to Miss. Code Ann. § 73-9-61 and shall be subject to disciplinary action by this Board.

8. Physical Requirements and Inspection for Portable Dental Operation

a. The Operator shall ensure that the Portable Dental Operation has the following:

- (1) The license of each dentist and dental hygienist providing dental services at the Portable Dental Operation conspicuously displayed in view of the patients.
- (2) Immediate access to patient records;
- (3) Communication equipment with the capability to:
  - (a) Provide immediate notification of and communication with emergency services;
  - (b) Reliably communicate in real-time with the public; and
  - (c) Provide near-instant delivery of patient information and records;
- (4) A dedicated direct line of communication with the Operator of the Portable Dental Operation:
  - (a) The direct line must provide for communication with the Operator at the location where services are being performed.
  - (b) The direct line cannot be associated with a switchboard that is maintained by a land-based clinic, or satellite location.
  - (c) The phone number for the direct line shall be conspicuously listed in public view.
- (5) Ready access to a ramp or lift;
- (6) A properly functioning sterilization system;
- (7) Ready access to an adequate supply of potable water, including hot water;
- (8) Ready access to toilet facilities; and
- (9) A covered galvanized, stainless steel, or other noncorrosive container for deposit of refuse and waste materials.
- (10) Medical waste disposal consistent with CDC guidelines.

b. All procedures must comply with current Recommended Infection-Control Practices for Dentistry as published by the federal Centers for Disease Control and Prevention (CDC).

c. Inspection

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- (1) The Portable Dental Operation shall be inspected by a Board member or a staff evaluator prior to receiving approval to operate by the Board.
- (2) The Portable Dental Operation shall be subject to subsequent Board inspections occurring at least once every six (6) years.
- (3) There shall be a fee for Board inspection, as stipulated in Board Regulation 37.

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1. Written Procedures, Communication Facilities, and Conformity with Requirements.

The Operator of a portable dental operation shall ensure the following:

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- a. There is a written procedure for emergency follow-up care for patients treated in the portable dental operation, and such procedure includes arrangements for treatment in a dental facility that is established in the area where services were provided.
- b. With the registrant's initial application, the Board must be provided a list of names of dentists to whom the Operator of the portable dental operation will refer patients for follow-up care, subject to the patient's right to choose another dental care provider. This list shall contain the dentist's full name, physical office address, telephone number, and an attached statement from each dentist so listed indicating that the dentist will be responsible for follow-up care. The list shall be updated when changes are made insofar as follow-up care dentists are concerned. A dentist who agrees to provide follow-up care must be practicing and located in a land-based dental office which provides dental services either in the county wherein the portable dental operation provides services, or in an adjacent county to the location wherein such services are being provided. The dentist who agrees to provide follow-up care can also be the Operator.
- c. The portable dental operation has communication facilities that will enable the Operator thereof to contact necessary parties in the event of a medical or dental emergency. The communication must enable the patient or the parent or guardian of the patient treated to contact the Operator for emergency care, follow-up care, or information about treatment received. The provider who renders follow-up care must also be able to contact the Operator and receive treatment information, including radiographs.
- d. The portable dental operation and the dental procedures performed comply with the laws and regulations of the State.
- e. In addition to written report being sent home with the patient, the portable operation will communicate with the guardian, informing him/her of the necessary treatment needed for that child. The portable operation will assist in the referral and appointment process to the dentist who agreed to treat these patients. Additionally, specific information will be detailed on how to obtain radiographs for the referred dentist.
- f. No services are performed on minors without a signed consent form from the parent or guardian, which indicates:
  - (1) if the minor already has a dentist, the parent or guardian should continue to arrange dental care through that provider; and

- ~~(2) how the treatment of the child by the portable dental operation may affect the future benefits that the child may receive under private insurance, Medicaid, or the Children's Health Insurance Program (CHIP).~~
- ~~(3) The informed consent will be signed for each visit, explaining the anticipated procedures to be performed.~~

~~g. A portable dental operation that accepts a patient and provides preventive treatment, including prophylaxis, radiographs, and fluoride, but does not follow up with treatment when such treatment is clearly indicated, is considered to be abandoning the patient. Arrangements must be made for treatment services by either the Operator or other licensee who agrees to provide follow-up care. If such arrangements are not made, the Operator will be construed to have committed unprofessional conduct pursuant to Miss. Code Ann. § 73-9-61 and shall be subject to disciplinary action by this Board.~~

## ~~2. Physical Requirements and Inspection for Portable Dental Operation~~

~~a. The Operator shall ensure that the portable dental operation has the following:~~

- ~~(1) Ready access to a ramp or lift;~~
- ~~(2) A properly functioning sterilization system;~~
- ~~(3) Ready access to an adequate supply of potable water, including hot water;~~
- ~~(4) Ready access to toilet facilities; and~~
- ~~(5) A covered galvanized, stainless steel, or other noncorrosive container for deposit of refuse and waste materials.~~
- ~~(6) Medical waste disposal consistent with CDC/OSHA guidelines.~~

~~b. All procedures must be in compliance with the current Recommended Infection Control Practices for Dentistry as published by the federal Centers for Disease Control and Prevention (CDC).~~

~~c. The portable dental operation be inspected by a Board member or a staff evaluator prior to receiving approval to operate by the Board, and the fee for such inspection shall be included in the initial application fee for a portable dental operation.~~

~~d. Once approved the portable dental operation shall be subject to periodic, unannounced audits by any Board member or a staff evaluator. Furthermore, a fee shall be assessed for these periodic, unannounced audits, such fee as stipulated in Board Regulation 37.~~

## ~~3. Identification of Personnel, Notification of Changes in Written Procedures, and Display of Licenses~~

~~a. The Operator of a portable dental operation shall identify and advise the Board in writing within thirty (30) days of any personnel change relative to all licensed~~

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~~dentists, and licensed dental hygienists, and all radiology permit holders associated with the portable dental operation by providing the full name, address, telephone numbers, and license numbers, where applicable.~~

- ~~b. The Operator shall advise the Board in writing within thirty (30) days of any change in the written procedure for emergency follow-up care for patients treated in the portable dental operation, including arrangements for treatment in a dental facility which is established in the area. The dental facility shall be identified in the written procedure.~~
- ~~e. Each dentist and dental hygienist providing dental services in the portable dental operation shall prominently display his or her Mississippi dental or dental hygienist license in plain view of patients.~~

#### 4.9. Identification of Location of Services

- a. Each ~~Operator~~Operator of a ~~portable dental operation~~Portable Dental Operation shall maintain a written or electronic record detailing for each location where services are provided:
  - (1) the street address of the service location;
  - (2) the dates of each session;
  - (3) the number of patients served; and
  - (4) the types of dental services provided and quantity of each service provided.
- b. The written or electronic record shall be made available to the Board or its representative within ten (10) days of a request.
- c. Each ~~portable dental operation~~Portable Dental Operation must possess all applicable county and city licenses or permits to operate at each location.

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#### 5. ~~Licensed Dentist in Charge~~

~~A portable dental operation shall at all times be in the charge of a dentist currently licensed to practice dentistry in the State of Mississippi. The treating dentist currently licensed to practice dentistry in the State of Mississippi shall be present and held completely responsible for the quality of patient care at all times when clinical services are rendered.~~

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#### 6.10. Information for Patients

- a. During or at the conclusion of each patient's visit to the ~~portable dental operation~~Portable Dental Operation, the patient shall be provided with an information sheet. If the patient has provided consent to an institutional facility to access the patient's dental health records, the institution shall also be provided with a copy of the information sheet. An institutional facility includes, but is not limited to, a long-term care facility or school.
- b. The information sheet as required herein shall include the following:

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- (1) Pertinent contact information as required by this regulation;
- (2) The name of the dentist and other dental staff who provided services;
- (3) A description of the treatment rendered, including billed service codes and fees associated with treatment, and tooth numbers when appropriate; and
- (4) If necessary, referral information to another dentist as required by this regulation.
- (5) A written process to obtain radiographs.

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#### 7.11. Cessation of Operation

- a. Upon cessation of operation by the ~~portable dental operation~~ Portable Dental Operation, the ~~Operator~~ Operator shall notify the Board within thirty (30) days of the last day of operation in writing of the final disposition of patient records and charts.
- b. If the ~~portable dental operation~~ Portable Dental Operation is sold, a new registration application must be filed with the Board.
- c. The ~~Operator~~ Operator shall make reasonable arrangements with the active patients of the ~~portable dental operation~~ Portable Dental Operation for the transfer of the patient's records, including radiographs or copies thereof, to the succeeding practitioner or, at the written request of the patient, to the patient.
- d. As used in this section, "active patient" applies and refers to a person whom the ~~portable dental operation~~ Portable Dental Operation has examined, treated, cared for, or otherwise consulted with during the two-year (2) year period prior to discontinuation of practice, or moving from or leaving the community.

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History: *Regulation Sixty-Two adopted by the Mississippi State Board of Dental Examiners February 3, 2020.*

Source: Miss. Code Ann. §§ 73-9-13, 17

After some other brief discussion and questions raised by public attendees regarding the historical reasons as to why mobile and portable permit regulations were split into two Regulations, there was a recommendation by Dr. Curtis to adopt the amendment to Regulation 61. Dr. Lampkin seconded and the motion carried. A motion was made by Dr. Curtis to accept the proposed amendments to Regulation 62. Dr. Lampkin seconded. There was some discussion that the Regulations could be merged with 61. Mr. Mutziger reminded that Board that this could be an opportunity to consolidate to reduce regulations. Dr. Williams stated that the staff could recommend a consolidation in the future. The motion was passed.

#### Credentialing

There was no report.

#### Legislative

Dr. Grubbs deferred to Mr. Hydrick regarding the legislative session. Mr. Hydrick reported that the HB1062 was passed and signed by the Governor, which would allow for general supervision of dental hygienists.

#### Licensure Examination

There was no report.

#### Practice Act Review

There was no report.

#### Budget & Finance

There was no report, but Mr. Hydrick mentioned that FY 2027 Budget planning would begin over the next few weeks.

### APPLICATIONS

The following applications were presented to the Board for review and approval.

#### UROLA/MFFA Reciprocity:

Ms. Sims, MSBDE Licensing Representative, presented the application for licensing by Reciprocity for Ralph Callender, III, D.D.S. A motion was made by Dr. Lampkin and seconded by Dr. Grubbs. The motion passed.

Ms. Sims, MSBDE Licensing Representative, presented the application for licensing by Reciprocity for Denean Angelle Cervini, D.D.S. A motion was made by Dr. Curtis and seconded by Dr. Lampkin. The motion passed.

#### Examination – Foreign Trained

Ms. Sims presented the application for Licensure by Examination for Dr. Malik Mahmood, B.D.S., as an internationally trained dentist. A motion was made by Dr. Lampkin and seconded by Dr. Curtis. The motion passed.

### **Specialty Licenses**

Ms. Sims presented the application for a Specialty License for Anas Aljumaili, B.D.S. (4498-25) in Orthodontics. A motion was made by Dr. Curtis and seconded by Dr. Grubbs. The motion passed unanimously.

Ms. Sims presented the application for a Specialty License for Ralph Callender, D.D.S. in Orthodontics. A motion was made by Dr. Lampkin and seconded by Mrs. Birmingham. The motion passed.

Ms. Sims presented the application for a Specialty License for Denean Angelle Cervini, D.D.S. in Orthodontics. A motion was made by Dr. Lampkin and seconded by Dr. Curtis. The motion passed.

Ms. Sims presented the application for a Specialty License for Matthew J. Morrone, D.D.S. (4501-25) in Orthodontics. A motion was made by Dr. Lampkin and seconded by Mrs. Birmingham. The motion passed.

Ms. Sims presented the application for a Specialty License for Nathan Yetter, D.D.S. (4499-25) in Orthodontics. A motion was made by Dr. Lampkin and seconded by Mrs. Birmingham. The motion passed.

### **Advanced Anesthesia Permits**

Deputy Director Vaughn presented the application for Walter Jason Cox, D.M.D. (3214-02) for a Class II permit. He attended the Dentonomics Course. Dr. Lampkin made the motion to approve, and Dr. Curtis seconded. Dr. Williams asked if the AAP had reviewed the application. Deputy Director Vaughn reported that it had been reviewed. The motion passed.

### **Request for Active Status**

Ms. Sims presented the application to return to Active status for Alexis Ginn, R.D.H. Ms. Ginn has been practicing in another State and is moving back to Mississippi. A motion was made by Mrs. Birmingham and seconded by Dr. Lampkin. The motion passed.

Ms. Sims presented the application to return to Active Status for Kayte Avera, R.D.H. Ms. Avera had been practicing in another States and relocating to Mississippi. A motion was made by Mrs. Birmingham and seconded by Dr. Lampkin. The motion passed.

Ms. Sims presented the application to return to Active Status for Tiffany Derouen Wheat, R.D.H. It was noted that she had been actively practicing in another State. A motion was made by Mrs. Birmingham and seconded by Dr. Curtis. The motion passed.

### **Corporate Trade Names**

Deputy Director Vaughn presented the Corporate Trade Name Application for Aspire Dental of Laurel, LLC – Laurel, MS. Dr. Lampkin made the motion to approve, and it was seconded by Mrs. Birmingham. The motion passed.

Deputy Director Vaughn presented the Corporate Trade Name Application for Magnolia Family Dental in Southaven, MS. Dr. Lampkin made the motion to accept the application. It was seconded by Mrs. Birmingham and the motion passed unanimously.

#### **Mobile Permits**

Deputy Director Vaughn presented an application for Northeast Mississippi Health Care, Inc. in Byhalia, MS, and operator Jasmine Mack, D.D.S. (4361-23) for a Mobile permit. Investigator Redmond completed the inspection of the unit. Dr. Lampkin made the motion to approve, and Mrs. Birmingham seconded the motion. It passed unanimously.

#### **BOARD REPORTS**

Mr. Hydrick noted the number of licenses and permits issued during the Third Quarter of FY25. Mr. Hydrick highlighted facility inspections, enforcement processes, the 2025 legislative session, and the updated plan to transition to ThoughtSpan. Mr. Hydrick provided a brief overview of the Third Quarter FY25 financial report. It was noted expenses exceeded revenue by \$117,907.51. It was also noted the decrease in operational cash. Mr. Hydrick reminded the Board of the one-time spending authority provided by the Legislature for the office move and transition to the new Licensing and Enforcement system which resulted in a decrease. It was reported that for the Fiscal Year 2026, there would be a return to a normal level of expenditures. Dr. Williams asked if all payments were made timely, and Mr. Hydrick reported that there were no ongoing issues with paying in a timely manner. There were no questions.

#### **NEW BUSINESS**

Election of FY2026 MSBDE Board Officers – term July 1, 2025, to June 30, 2026

Dr. Williams stated that the Board could postpone the election of officers to wait for full Board members present. However, Mrs. Birmingham recommended that the current slate of officers remain the same for the next Fiscal Year. Dr. Grubbs seconded it. After discussion about the possibility of the District III position being replaced before June 30, 2026, the motion passed unanimously with the recommendation that the Board hold a special meeting to elect officers to complete the Fiscal Year should there be a new appointment before June 30, 2026.

Board Determination – Advance Anesthesia Courses – Vesper Institute

Mr. Hydrick presented the request by Vesper Institute as an approved course to meet the requirement for a Class II sedation permit in Mississippi. Dr. Williams provided an overview of the course and that the retired materials have been submitted for review. Dr. Curtis made the motion and Dr. Grubbs seconded the motion. Dr. Williams called upon a public attendee, Dr. Tiffany Green, as a member of the Anesthesia Advisory Committee. The motion passed.

## HB1062 – Authorization of Dental Hygienists to Provide Hygiene Services under General Supervision

After passing HB1062, there was a brief discussion of how the Board should enforce the new authority provided to the Board regarding general supervision. Mr. Mutziger provided general options. Mr. Mutziger did offer the option to create an ad hoc committee for the purpose of reviewing this change. Dr. Curtis requested some general guidance on how the Board envisioned administration of the new law if referred to the Rules and Regulations Committee. Mrs. Birmingham moved to refer the language to the Rules and Regulations Committee for review, and it was seconded by Dr. Lampkin. The motion passed.

Dr. Williams requested a motion to break for lunch. Dr. Curtis made the motion and Mrs. Birmingham seconded. The meeting was recessed until 1:00pm.

At 1:00pm, Dr. Williams called the meeting to order. Dr. Lampkin moved that the Board enter closed session to determine whether executive session is proper. This was seconded by Mrs. Birmingham. The motion passed. After discussion in closed session, Dr. Grubbs moved that the Board enter into Executive Session. It was seconded by Dr. Lampkin, and the Board voted to enter executive session.

Mr. Mutziger announced to the public that the Board had voted to go into Executive Session for the following reasons: licensure determinations that could reasonably result in litigation; continued discussion regarding personnel matters related to Regulation 30; and for review of pending investigative and disciplinary matters.

### --- EXECUTIVE SESSION ---

#### PETITIONS FOR RECONSIDERATION

- a. **1:15pm CST\*** - *Amira Ezzat Elgreatly, B.D.S. (4196-21)*
- b. **1:30pm CST\*** - *Shamina Khanum, B.D.S. (4090-19)*
- c. **1:45pm CST\*** - *Tamer George Theodory, D.D.S. (4262-22)*

#### INVESTIGATIONS & DISCIPLINARY MATTERS – EXHIBIT D

##### Proposed Remands

Investigated Remands

Preliminary Review Remands

##### Proposed Letters of Concern

##### Review of Open Investigations by District Report

#### COMPLIANCE REPORT

#### 2023-2024 CONTINUING EDUCATION AUDIT RESULTS AND BOARD ACTIONS

--- OPEN SESSION ---

**ACTION(S) TAKEN IN EXECUTIVE SESSION**

The Board voted to exit executive session. Mr. Mutziger reviewed in open session the actions taken by the Board in the Executive Session. First, the Board considered three petitions for reconsideration. The Board found that its prior determination regarding the voiding of Dental License No. 4196-21 was appropriate and that the license will be voided October 31, 2025. The Board found that its prior determination regarding the voiding of Dental License No. 4262-22 was appropriate and that the license will be voided October 31, 2025. In light of new information received, the Board voted to rescind the prior determination to void Dental License No. 4090-19. The Board reviewed numerous Investigative cases. The following Remands, Letters of Concern, and Consent Orders were approved by the Board:

Remands:

2025-016	2025-011	2024-158	2024-149	2024-147	2024-146	2024-144
2024-141	2024-137	2024-138	2024-136	2024-135	2024-130	2024-113
2024-109	2024-101	2024-071	2024-070	2024-026	2024-022	2024-019
2024-014	2024-006	2023-132	2023-116	2023-065	2023-062	2023-046
2022-103	2022-114	2022-100	2022-099	2022-049	2022-037	2022-017
2021-092	2021-090	2021-085	2021-078	2021-072	2021-061	2021-062
2021-046	2021-052	2021-005	2020-076	2019-073	2021-063	2021-080
2023-119	2024-001	2023-098	2024-121	2024-164	2025-049	2025-046
2025-043	2025-036	2025-035	2025-034	2025-031	2025-019	2025-018
2025-015	2025-012	2025-010	2024-166	2025-047	2022-005	2025-022
2025-065	2025-026	2025-042	2025-002			

Letters of Concern:

2020-012	2021-073	2024-034	2024-076	2024-103	2024-107	2024-118
2024-148	2024-150	2025-001				

The Board voted to issue a non-disciplinary Letter of Concern for dental hygienists who failed to meet compliance with the 2023-2024 Continuing Education audit but were only missing two (2.0) hours or less and did not have a previous instance of non-compliance with a CE audit for the following:

2025-051	2025-062	2025-059
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Consent Orders:

The Board voted to pursue disciplinary action related to dental hygiene licensees who failed to meet compliance with the required number of Continuing Education hours for the 2023-2024 CE Audit time period.

2025-055      2025-053      2025-061      2025-052      2025-056      2025-054      2025-058  
2025-060      2025-057

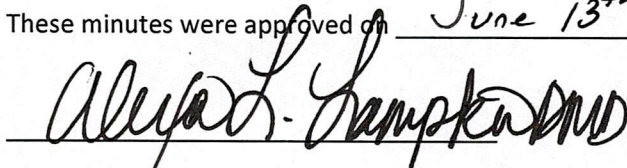
Hearing(s):

The Board set a hearing date for June 13, 2025, related to 2025-072 & 2025-073 and non-compliance with order 2020-070. The Board denied a request for two continuing education courses related to Order 2020-070.

**ADJOURNMENT**

A motion was made by Dr. Grubbs and seconded by Dr. Lampkin to adjourn the meeting. The motion carried and the meeting was adjourned.

These minutes were approved on June 13<sup>th</sup>, 2025.

A handwritten signature in black ink, appearing to read "Alexa L. Lampkin DMD", is written over a horizontal line.

Alexa L. Lampkin, D.M.D. – Board Secretary